

Message Text

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ACTION EUR-25

INFO OCT-01 ADP-00 CU-04 IO-12 OIC-04 ACDA-19 CIAE-00

PM-09 H-02 INR-10 L-03 NSAE-00 NSC-10 PA-03 RSC-01

PRS-01 SS-15 USIA-12 NEA-10 GAC-01 TRSE-00 MBFR-03

SAJ-01 OMB-01 RSR-01 /148 W
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FM AMEMBASSY HELSINKI

TO SECSTATE WASHDC 6138

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ALL CSCE CAPITALS 246

C O N F I D E N T I A L HELSINKI 1322

E. O. 11652: GDS

TAGS: PFOR

SUBJECT: CSCE: PRINCIPLES AND IMPLEMENTATION PROPOSALS

REF: (A) HELSINKI 1254, (B) HELSINKI 1295

SUMMARY. AS PREDICTED REFTEL (A), MINI- GROUPS ON PRINCIPLES AND IMPLEMENTATION OF PRINCIPLES (INCLUDING SWISS ARBITRATION PROPOSAL) MADE CONSIDERABLE PROGRESS DURING WEEK OF MAY 14-18. ALTHOUGH SOME BRACKETS REMAIN, THEY DO NOT REPRESENT MAJOR POINTS OF SUBSTANCE AND WE ANTICIPATE THEY WILL BE RESOLVED NEXT WEEK. MAJOR FACTOR IN PROGRESS ON PREAMBLE WAS SOVIET ACCEPTANCE OF REFERENCE TO FRIENDLY RELATIONS DECLARATION. WORKING GROUP WILL TURN TO LISTING OF PRINCIPLES MAY 23. END SUMMARY.

1. PREAMBLE. AT TWO MEETINGS DURING WEEK, MINIGROUP WAS ABLE TO OVERCOME MOST REMAINING DIFFICULTIES IN PREAMBLE. SOVIETS TOOK MAJOR STEP IN ACCEPTING REFERENCE TO FRIENDLY RELATIONS DECLARATION. UNDER SOVIET PROPOSAL, WHICH HAS BEEN GENERALLY ACCEPTED, STRUCTURE OF PRINCIPLES MANDATE WILL BE AS FOLLOWS:

(1) PREAMBLE; (2) LIST OF PRINCIPLES; (3) ONE SENTENCE PARAGRAPH REFERRING TO FREINDLY RELATIONS DECLARATION; AND (4)

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PARAGRAPH ON IMPLEMENTATION. IN ACCEPTING REFERENCE TO FRIENDLY RELATIONS DECLARATION, MENDELEVICH MADE IT CLEAR THAT HE WOULD NOT ACCEPT DECLARATION AS SOURCE OF PRINCIPLES. SENTENCE WHICH MINIGROUP ACCEPTED AD REF READS AS FOLLOWS: " IN DISCHARGING ITSELF OF THESE TASKS, THE COMMITTEE/ SUBCOMMITTEE WILL TAKE INTO ACCOUNT IN PARTICULAR THE FRIENDLY RELATIONS DECLARATION (FULL TITLE WILL BE USED)." MENDELEVICH AGREED AD REF TO ABOVE FORMULATION, ON UNDERSTANDING THAT TWO OTHER REFERENCES TO LINKAGE OF PRINCIPLES (PARA 7, REF (A) WOULD BE DROPPED. ROMANIAN AUTHOR SIGNALLED HE WOULD EVENTUALLY GIVE UP HIS PHRASE " PRINCIPLES STIPULATED AS A SYSTEM," AND ON THIS BASIS UK REP IMPLIED HE WOULD EVENTUALLY DROP ALTERNATIVE " PRINCIPLES TAKEN AS A WHOLE." ITALIAN CLUNG TO HIS SENTENCE ON LINKAGE BY ASKING THAT FOOTNOTE BE ADDED TO EFFECT THAT HE HAD ASKED FOR INSTRUCTIONS ON THIS POINT. (ALL ARE READY TO DROP THESE PROPOSALS. ROMANIANS AND ITALIANS WILL GIVE WAY WHEN CATALOGUE OF PRINCIPLES IN AGREED.)

2. WITH MAJOR PROBLEM OF LINKAGE OF PRINCIPLES APPARENTLY OVERCOME, WORKING GROUP WAS ABLE REMOVE SOME REMAINING BRACKETS IN PREAMBLE AND CLARIFY STATUS OF OTHERS. PORTUGUESE CONCERN ON REFERENCE TO UNITED NATIONS WAS SATISFIED BY ADOPTING FORMULATION ON SOURCES PROPOSED BY FRG REP. I. E., " IN CONFORMITY WITH THE PURPOSES AND PRINCIPLES OF THE UNITED NATIONS AS EMBODIED IN THE CHARTER." SAME FORMULATION APPEARS IN PARAS ONE AND THREE OF PREAMBLE, WITH PURPOSES AND PRINCIPLES UNCAPITALIZED. US REP RECALLED FOR RECORD EARLIER INTERPRETATION BY SWEDISH LEGAL EXPERT, WITH WHICH WE AGREED, THAT " PURPOSES AND PRINCIPLES" DID NOT IN FACT REFER ONLY TO ARTICLES ONE AND TWO OF CHARTER BUT BROADLY TO DOCUMENT AS WHOLE. THERE WERE NO OBJECTIONS TO US STATEMENT.

3. MENDELEVICH FLATLY REFUSED TO ACCEPT LANGUAGE PROPOSED BY ITALIANS REGARDING MEMBERSHIP IN POLITICAL/ MILITARY GROUPINGS THIS FORMULATION, PLUS LANGUAGE PROPOSED BY ROMANIANS TO EFFECT THAT PRINCIPLES WOULD BE APPLIED REGARDLESS OF SIZE AND GEOGRAPHICAL LOCATION OF STATES, REMAINS IN BRACKETS. SOVIETS COULD ACCEPT REFERENCE TO SIZE AND LOCATION, BUT FRENCH WOULD NOT AGREE TO INCLUSION OF ROMANIAN LANGUAGE UNLESS REFERENCE TO POL/ MIL GROUPINGS WAS INCLUDED. (WE EXPECT BOTH WILL BE DROPPED.)
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4. REFERRING TO MAY 17 SOVIET PROPOSAL FOR HANDLING OF PRINCIPLES IN BASKET THREE (HELSINKI 1303) MENDELEVICH ASKED THAT CROSS- REFERENCING LANGUAGE BE ADDED TO SECOND PARA OF PREAMBLE. WORKING GROUP AGREED TO ADD REFERENCE TO " COOPERATION" IN SECOND SENTENCE, PARA 2, WHICH NOW READS AS FOLLOWS: " IT SHALL EXPRESS

THE DETERMINATION OF THE PARTICIPATING STATES TO APPLY THE PRINCIPLES EQUALLY AND UNRESERVEDLY IN ALL ASPECTS OF THEIR MUTUAL RELATIONS AND COOPERATION IN ORDER TO ENSURE TO ALL PARTICIPATING STATES THE BENEFITS RESULTING FROM THE APPLICATION OF THESE PRINCIPLES BY ALL." NO OTHER BRACKETS REMAIN IN TEXT OF PREAMBLE.

5. IMPLEMENTATION. AGREEMENT ALSO IS NEAR ON SINGLE PARA (TEXT REF (B) WHICH CONTAINS VERY GENERAL FORMULAS FOR POLITICAL CONSULTATIONS, NON- USE OF FORCE, SWISS PROPOSAL. MINIGROUP DISCUSSION MAY 17 DID NOT FINALLY RESOLVE ONLY OUTSTANDING ISSUE, I. E. BRACKETED WORDS " TO THIS END" AT BEGINNING LAST SENTENCE. ROMANIAN REP PROPOSED SUBSTITUTE " IN THIS CONTEXT," WHICH UP REP AND OTHERS WERE READY TO ACCEPT AD REF. HOWEVER, TURKISH REP INSISTED UPON MAINTAINING " TO THIS END," SO BOTH FORMULATIONS WILL REMAIN IN BRACKETS. (WE BELIEVE THAT IN FACE STRONG CONSENSUS FOR ROMANIAN COMPROMISE, TURKISH REP WILL GIVE WAY.)

6. ON BASIS OF PROGRESS DURING PAST WEEK, WE THINK WORK ON PRINCIPLES CAN BE COMPLETED BY END OF NEXT WEEK. IN FURTHER DISCUSSIONS, STATE 95126 WILL BE MOST HELPFUL. WE BELIEVE RESULTING TEXT WILL SATISFY MAJOR ALLIED AND US CONCERNS. NEXT WEDNESDAY SESSION, WHEN MENDELEVICH AND BRUNNER (FRG) WILL HAVE JUST RETURNED FROM MOSCOW AND BONN, SHOULD BE DECISIVE.
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